

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

MAY 27 2011

AT BALTIMORE
CLERK U.S. DISTRICT COURT
DISTRICT OF MARYLAND

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RECEIVED

ELLIS HARLEY BARBER
Plaintiff

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BY

v
LEONARDO NOTTO MARINHO
Defendant

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Civil Action No. RDB-11-1341

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MEMORANDUM OPINION

The above-captioned case was filed on May 17, 2011, together with a Motion to Proceed in Forma Pauperis. The Complaint appears to concern a dispute regarding title and tags for a vehicle sold and purchased in Maryland. The address provided for Defendant is a Maryland address. Plaintiff appears indigent; therefore, his motion will be granted.

The Complaint does not state a federal cause of action and fails to comply with Fed. R. Civ. Proc. 8(a). Factors to consider in determining if a complaint fails to comply with Rule 8(a) include the length and complexity of the complaint, *see, e.g.*, *United States ex rel. Garst v. Lockheed-Martin Corp.*, 328 F.3d 374, 378 (7th Cir.2003); whether the complaint was clear enough to enable the defendant to know how to defend himself, *see, e.g.*, *Kittay v. Kornstein*, 230 F.3d 531, 541 (2d Cir. 2000); and whether the plaintiff was represented by counsel. *See, e.g., Elliott v. Bronson*, 872 F.2d 20, 21-22 (2d Cir. 1989). Although Plaintiff is unrepresented, the Complaint lacks clarity. The Court cannot determine the claims raised, and Defendant cannot craft a defense.

Accordingly, the Complaint shall be dismissed without prejudice. A separate Order follows.

May 27, 2011
Date

RICHARD D. BENNETT
RICHARD D. BENNETT
UNITED STATES DISTRICT JUDGE